

REMARKS

Claims 1-28 are now pending in the application. New Claims 24-28 have been added herein. The Examiner is further respectfully requested to reconsider the requirement to elect a single species for prosecution in view of the amendments and remarks contained herein.

ELECTION/RESTRICTIONS

The Examiner noted election of a single species for prosecution on the merits is required under 35 U.S.C. §121. Per the Examiner, the application contains claims directed to three patentably distinct species of the claimed invention. The first species is directed to a fastener for engaging substructure without adhesive or settable material, Figures 1-4. The second species is directed to a fastener with retainer for engaging substructure having adhesive or settable material, Figures 5-9. The third species is directed to a fastener with "rib-like" projections and retainer for engaging substructure having adhesive or settable material, Figures 10-11. Applicant provisionally elects the second species directed to Figures 5-9, with traverse. Claims 1-6, 9-14 and 23, as well as new Claims 24-28 read on this species.


The Examiner is respectfully requested to reconsider her restriction requirement with respect to the present application because it is believed that it would not produce a serious burden upon the Examiner to maintain at least the species of Figures 10-11 (having Claims 7-8 readable thereon) together with the provisionally elected species of Figures 5-9, because both have the common feature of an adhesive, therefore searches for both should encompass the same class(es). (See MPEP §803.)

CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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